

LUIS VILLENA,

Plaintiff,

- against -

DETECTIVE JOSEPH OQUENDO,
DETECTIVE JOHN DOE 1; DETECTIVE
JOHN DOE 2; MANHATTAN SOUTH
POLICE DEPARTMENT; A.D.A JOHN DOE;

Defendants.

JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

: 07 Civ. 3485 (GEL) (JCF)

: O R D E R

USDC SDNY
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The Office of Corporation Counsel having requested an order directing plaintiff to provide a release allowing access to his police records in connection with the arrest at issue, it is hereby ORDERED as follows:

1. The Order issued on February 25, 2008 was incorrectly captioned as a Report and Recommendation and is hereby vacated.

2. By March 14, 2008, plaintiff shall submit a notarized letter stating that he authorizes the unsealing of his police records for the arrest at issue in this case pursuant to New York Criminal Procedure Law § 160.50. That letter shall be sent to David M. Hazen, Esq., Assistant Corporation Counsel, 100 Church Street, New York, New York 10007, with a copy to the Court.

3. If plaintiff does not submit the release as required, the Complaint will be dismissed.

Respectfully submitted,


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
February 27, 2008

Copies mailed this date:

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05-A-6397
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P.O. Box 445
Fishkill, New York 12524-0445

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